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October 29, 2019

Via ECF

Hon. Sarah Netburn, U.S.M.J.
United States District Court for the
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: Baumeister & Samuels, P.C. Lien Dispute
In Re: September 11, 2001 Terror Attacks, 03-mdl-1570 (GBD)(SN)
Ashton et al. v. al Qaeda Islamic Army, et al., 02-cv-6977 (GBD)(SN)
Bauer et al. v. al Qaeda Islamic Army, et al., 02-cv-7236 (GBD)(SN)
Ashton et al. v. Kingdom of Saudi Arabia, 17-cv-2003 (GBD)(SN)

Dear Judge Netburn:

This firm represents Katherine Maher, individually and on behalf of the Estate of Daniel Maher a/k/a Daniel L. Maher, Daniel R. Maher, Joseph F. Maher, Patricia Ryan, individually and on behalf of the Estate of John J. Ryan, Laura Ryan, Colin Ryan and Kristen Ryan (collectively, the "Mahers and Ryans") in connection with the Mahers and Ryans' charging lien dispute with Baumeister & Samuels, P.C. ("B&S"). I am sending this letter as a status report in response to the Court's Order of October 28, 2019 [Doc. 5232]. I requested that we provide a joint status letter to the Court, but B&S declined and instead indicated that they will submit their own letter.

I have conferred with Michel Baumeister, Esq. and Dorothea Capone, Esq. of B&S several times over the past week in an attempt to resolve the parties' lien dispute. The parties were not able to reach a resolution.

My understanding is that B&S's position is that the parties should proceed with the evidentiary hearing on December 18, 2019.

The Mahers and Ryans' position is that they are willing to acknowledge B&S's right to assert a charging lien over any future recoveries, while reserving their rights to assert any claims or defenses they may have that would potentially negate such a lien. Therefore, our position is that no hearing is necessary on this matter at this time. Additionally, we believe that it would be improper for the Mahers and Ryans to be required to litigate any such claims in an evidentiary hearing in this litigation rather than in a plenary action, which would give all parties sufficient

procedural and substantive rights and would not place an additional restraint on the Mahers and Ryans by shortening the applicable statute of limitations.

Should the Court disagree with us that no evidentiary hearing is necessary at this time, then the Mahers and Ryans respectfully request a conference with Your Honor on December 18, 2019 to discuss the parties' respective positions, to see if the Court could assist us in attempting to resolve the matter, and, if necessary, scheduling the hearing as well as setting a focused discovery schedule.

We thank the Court for its consideration of this matter.

Respectfully submitted,

/s/Jonathan P Vuotto
Jonathan P. Vuotto

cc: Dorothea Capone, Esq. (via email)